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OFFICIAL

Date: 1 December 2003

To: Examiner Daniel R. Zirker
US Patent and Trademark Office
Tel. No. 703-308-0031
Fax: 703-872-9306

Subject: USSN 09/750,984
Our Ref.: tesa AG 687-HCL

From: Howard C. Lee

Comments: Filing of: Notice of Appeal (1pg.); Fee Transmittal (in duplicate)

If you have any questions or need further information, please contact us.

You should receive 4 pages including this cover sheet.

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PTO/SS/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0232
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
\$330.00

Complete if Known

Application Number	09/750,984
Filing Date	December 28, 2000
First Named Inventor	Wenninger
Examiner Name	Daniel R. Zirkar
Art Unit	1771
Attorney Docket No.	101769-79/ tcsn AG 687

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)		
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number Norris, McLaughlin & Marcus Deposit Account Name 14-1263		3. ADDITIONAL FEES Large Entity Small Entity Fee Code (\$) 1051 130 2051 65 Surcharge - late filing fee or oath 1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet 1053 130 1053 130 Non - English specification 1812 2,520 1812 2,520 For filing a request for ex parte reexamination 1804 920* 1804 920* Requesting publication of SIR prior to Examiner action 1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action 1251 110 2251 55 Extension for reply within first month 1252 420 2252 210 Extension for reply within second month 1253 950 2253 475 Extension for reply within third month 1254 1,480 2254 740 Extension for reply within fourth month 1255 2,010 2255 1,005 Extension for reply within fifth month 1401 330 2401 165 Notice of Appeal 1402 330 2402 165 Filing a brief in support of an appeal 1403 290 2403 145 Request for oral hearing 1451 1,510 1451 1,510 Petition to Institute a public use proceeding 1452 110 2452 55 Petition to revive - unavoidable 1453 1,330 2453 665 Petition to revive - unintentional 1501 1,330 2501 665 Utility issue fee (or reissue) 1502 480 2502 240 Design issue fee 1503 640 2503 320 Plant issue fee 1480 130 1480 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR § 1.17(q) 1806 180 1806 180 Submission of Information Disclosure Statement 8021 40 8021 40 Recording each patent assignment per property (times number of properties) 1809 770 2809 385 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 770 2810 385 For each additional invention to be examined (37 CFR § 1.129(b)) 1801 770 2801 385 Request for Continued Examination (RCE) 1802 900 1802 900 Request for expedited examination of a design application Other fee (specify) _____		
1. BASIC FILING FEE Large Entity Small Entity Fee Code (\$) 1001 770 2001 385 Utility filing fee 1002 340 2002 170 Design filing fee 1003 530 2003 265 Plant filing fee 1004 770 2004 385 Reissue filing fee 1005 160 2005 80 Provisional filing fee SUBTOTAL (1) (\$)		Fee Description Fee Paid 330.00		
2. EXTRA CLAIM FEES FOR UTILITY AND DESIGN PATENTS Extra Claims Fee from below Fee Paid Total Claims: <input type="checkbox"/> -20** = <input type="checkbox"/> 0 X <input type="checkbox"/> = <input type="checkbox"/> 0.00 Independent Claims: <input type="checkbox"/> -3** = <input type="checkbox"/> 0 X <input type="checkbox"/> = <input type="checkbox"/> 0.00 Multiple Dependent: <input type="checkbox"/> = <input type="checkbox"/> = <input type="checkbox"/> = <input type="checkbox"/> 0.00 Large Entity Small Entity Fee Code (\$) 1202 18 2202 9 Claims in excess of 20 1201 66 2201 43 Independent claims in excess of 3 1203 290 2203 145 Multiple dependent claim, if not paid 1204 66 2204 43 ** Reissue independent claims over original patent 1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent SUBTOTAL (2) (\$)		\$0.00		
** or number previously paid, if greater. For Reissues, see above		*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)		
\$330.00				

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SUBTOTAL (3) (\$)

Complete (if applicable)					
Name (Print/Type)	Howard C. Lee	Registration No. (Attorney/Agent)	48,104	Telephone	212-808-0700
Signature	Howard C. Lee			Date	December 1, 2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/31(06-03)

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NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCESDocket Number (Optional)
101769-79/ tesa AG 687 HCLRECEIVED
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on the 1st day of December, 2003.

Agata Glinska
Agata Glinska

In re Application of
Dieter Wenninger et al

DEC

Application Number
09/750,984 Filed
December 28, 2000For Adhesive Tape for Detecting Unauthorized
Broaching of a PackageArt Unit
1771 Examiner
Daniel R. Zirker

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner dated September 4, 2003 finally rejecting claims 1-13.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00

Applicant claims small entity status. See

37 CFR 1.26. Therefore, the fee amount shown above is reduced by half, and the resulting fee is : \$.

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 14-1263. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.36(a) (PTO/SB/22) is enclosed.

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I am the

applicant/inventor.

assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96).

attorney or agent of record.
Registration _____

attorney or agent under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) 48,104

December 13, 2003

Date

Howard C. Lee
Signature

(212) 808-0700

Telephone Number

Howard C. Lee

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to be had by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application forms to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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